

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:16-CR-106-H

UNITED STATES OF AMERICA,)
)
)
v.)
)
)
)
FRANCISCO DAMIAN TORRES-) **ORDER**
VICTORIA,)
)
)
Defendant.)

This matter is before the court on defendant's motion for return of property. The government has responded. Defendant, pro se, asks the government to return his property, including \$850 cash, identification documents, and three cellphones.

In the government's response, the government represents to the court that it seized the following items from defendant during the investigation:

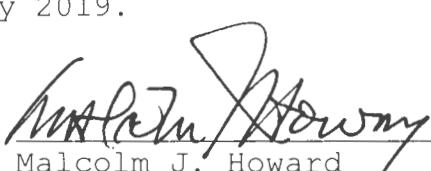
- Two cellular telephones;
- \$400 in U.S. currency;
- Several forms of identification, including employment authorization cards, a North Carolina driver's license, and a North Carolina identification card;
- A Santa Muerta-type shrine and figurine;
- Photographs;
- A red gasoline container; and
- A diagram drawn by the defendant on a yellow piece of paper.

The government informs the court it is in the process of obtaining authority to apply \$200 of the seized currency to

defendant's special assessment debt. Once the special assessment is paid, the FBI will send defendant a money order for \$200. The FBI will also send the identification documents to defendant in the Bureau of Prisons. The government further represents that it reached out to defendant's attorney, and neither the attorney nor the FBI was able to locate any family or friends willing to take custody of defendant's remaining personal property.

Based on the information provided by the government, the defendant is hereby given 60 days from the date of this order to identify a suitable recipient for his property. The court further directs the government to provide proof of the above payments and mailing of the identification documents to the court. Following such proof and if the defendant is unable to provide a suitable custodian within the time allotted, the government may seek permission to destroy the remaining property.

This 17th day of May 2019.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
#26